RULE 610 - AIR TOXICS "HOT SPOTS" FEES

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MONITORING AND RECORDS (NOT INCLUDED)

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100 GENERAL

PURPOSE: This purpose of this rule is to recover costs that are associated with the implementation of the Air Toxics "Hot Spots" Information and Assessment Act, beginning with Section 44300 of Division 26 of the California Health and Safety Code.

102 APPLICABILITY:

- 102.1 GEOGRAPHY: The provisions of this rule shall apply to all facilities located in Placer County, as defined by California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 1.5, Article 1, Section 60106, 60111 and 60113.
- 102.2 FACILITIES: This rule is applicable to any facility which manufactures, formulates, uses, or releases any of the substances listed pursuant to Section 44321 of the Health and Safety Code, or any other substance which reacts to form a substance so listed.

200 DEFINITIONS

For the purpose of this rule the following definitions shall apply. All other terms are as defined in Rule 102, Definitions.

- 201 DISTRICT UPDATE FACILITY: Any facility that has been prioritized by the district in accordance with Health and Safety Code Section 44360(a), and is consistent with the procedures of the California Air Pollution Control Officers Association (CAPCOA) "Air Toxics 'Hot Spots' Program Facility Prioritization Guidelines, July 1990". The facility is also required by the District to submit a quadrennial emissions inventory update pursuant to Health and Safety Code Section 44344 during the applicable fiscal year. The prioritization scores for cancer and non-cancer health effects must be both greater than 1.0 and equal to or less than 10.0.
- **EMISSIONS INVENTORY:** An inventory of a facility's emissions as specified by Chapter 3 of Part 6 of Division 26 of the California Health and Safety Code.
- **203 FACILITY:** Any building, structure, appurtenance, installation, and improvement.
 - 203.1 Building, structure or emission unit includes all pollutant emitting activities which:
 - a. Belong to the same industrial grouping, and;
 - b. Are located on one property or two or more contiguous properties, and;
 - c. Are under the same or common ownership, operation, or control or which are owned or operated by entities which are under common control.
 - 203.2 Pollutant emitting activities shall be considered part of the same industrial grouping if:
 - a. They belong to the same two-digit standard industrial classification code;
 - b. They are part of a common production process. (Common production process includes industrial process, manufacturing process and any connected processing involving a common material.)

- **204 INDUSTRYWIDE FACILITY:** Any facility included in a class that the district finds and determines meets either of the following conditions:
 - (a) All facilities that release, or have the potential to release, less than ten tons per year of each criteria pollutant and are in a class that fall within the following four-digit Standard Industrial Classification Code:
 - 1) Autobody shops, as described by SIC Codes 5511-5521 or 7532; and
 - 2) Gasoline stations, as described by SIC Code 5541; and
 - 3) Dry cleaners, as described by SIC Code 7216; and
 - Printing and publishing, as described by SIC Codes 2711- 2771 or 2782;
 or
 - (b) Releases from the facility can easily and generically be characterized and calculated.
- **205 OPERATOR:** The person who owns or operates a facility or part of a facility.
- **PLAN:** The emissions inventory plan that meets the conditions specified in Section 44342 of the California Health and Safety Code.
- **PLAN AND REPORT FACILITY:** Any facility that, by April 1 of the calendar year prior to the fiscal year, has been required by the district to prepare an individual plan and report in accordance with Sections 44340, 44341, and 44344 of the State of California Health and Safety Code. This includes facilities completing an update plan, an update report, and a quadrennial update category form.
 - 207.1 COMPLEX FACILITY: A plan and report facility that has more than five processes as determined by a six-digit Source Classification Code (SCC).
 - 207.2 INTERMEDIATE FACILITY: A plan and report facility that has three to five processes as determined by a six-digit SCC.
 - 207.3 SIMPLE FACILITY: A plan and report facility that has one or two processes as determined by a six-digit SCC.
- PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY: Any facility that does not have an approved health risk assessment and has been prioritized by its district in accordance with Health and Safety Code Section 44360(a) using procedures that have undergone public review and that are consistent with the procedures presented in the California Air Pollution Control Officers Association (CAPCOA) "Air Toxics 'Hot Spots' Program Facility Prioritization Guidelines, July 1990", which has been approved by the State Board and is incorporated by reference herein, and the greater of the facility's prioritization scores for cancer and non-cancer effects is greater than 10.0.
- **PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY (COMPLEX):** Any facility that meets the criteria set forth in Section 208 and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- **210** PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY (MEDIUM): Any facility that meets the criteria set forth in Section 208, and has three to five processes as determined by six-digit SCC.
- 211 PRIORITIZATION SCORE GREATER THAN TEN (10.0) FACILITY (SIMPLE): Any facility that meets the criteria set forth in Section 208, and has one or two processes as determined by six-digit SCC.

- 212 RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY: Any facility that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and whose risk assessment results meet either of the following criteria:
 - 212.1 A total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than or equal to 10.0, but less than 50.0 cases per million persons or,
 - 212.2 A total hazard index for each toxicological endpoint of greater than 1.0 and a total potential cancer risk, summed across all pathways of exposure and all compounds, of less than 50.0.
- 213 RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY (COMPLEX): Any facility that meets the criteria set forth in Section 212, and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- 214 RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY (MEDIUM): Any facility that meets the criteria set forth in Section 212, and has three to five processes as determined by six-digit SCC.
- 215 RISK OF 10.0 TO LESS THAN 50.0 PER MILLION FACILITY (SIMPLE): Any facility that meets the criteria set forth in Section 212, and has one or two processes as determined by six-digit SCC.
- 216 RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY: Any facility that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than or equal to 50.0, but less than 100.0 cases per million persons.
- 217 RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY (COMPLEX): Any facility that meets the criteria set forth in Section 216, and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- 218 RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY (MEDIUM): Any facility that meets the criteria set forth in Section 216, and has three to five processes as determined by six-digit SCC.
- 219 RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY (SIMPLE): Any facility that meets the criteria set forth in Section 216, and has one or two processes as determined by six-digit SCC.
- 220 RISK OF 100.0 PER MILLION OR GREATER FACILITY: Any facility that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than or equal to 100.0 cases per million persons.
- 221 RISK OF 100.0 PER MILLION OR GREATER FACILITY (COMPLEX): Any facility that meets the criteria set forth in Section 220, and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- 222 RISK OF 100.0 PER MILLION OR GREATER FACILITY (MEDIUM): Any facility that meets the criteria set forth in Section 220, and has three to five processes as determined by six-digit SCC.

- **RISK OF 100.0 PER MILLION OR GREATER FACILITY (SIMPLE):** Any facility that meets the criteria set forth in Section 220, and has one or two processes as determined by six-digit SCC.
- **SOURCE CLASSIFICATION CODES OR SCC:** Number codes created by the United States Environmental Protection Agency used to identify processes associated with point sources that contribute emissions to the atmosphere.
- STANDARD INDUSTRIAL CLASSIFICATION CODE OR SIC CODE: Standard Industrial Classification Code which classifies establishments by the type of business activity in which they are engaged, as defined by the Standard Industrial Classification Manual, 1987, published by the Executive Office of the President, Office of Management and Budget, 1987, which is incorporated by reference.
- **STATE COSTS:** Cost which will be incurred by the State of California Air Resources Board and the Office of Environmental Health Hazard Assessment to implement and administer the Act.
- **STATE INDUSTRYWIDE FACILITY:** Any facility that (1) qualifies to be included in an industrywide emission inventory prepared by an air pollution control or air quality management district pursuant to Health and Safety Code Section 44323, (2) releases, or has the potential to release, less than ten tons per year of each criteria pollutant, and (3) is either of the following:
 - 227.1 Any facility in one of the following four classes of facilities:
 - a. Autobody shops, as described by SIC Codes 5511-5521 or 7532;
 - b. Gasoline stations, as described by SIC Code 5541;
 - c. Dry cleaners, as described by SIC Code 7216:
 - d. Printing and publishing, as described by SIC Codes 2711-2771 or 2782; or,
 - 227.2 Any facility that has not prepared an Individual Plan and Report in accordance with sections 44340, 44341, and 44344 of the Health and Safety Code and for which the district submits documentation for approval by the Executive Officer of the State Board, verifying that the facility meets the requirements of Health and Safety Code Section 44323(a)-(d).
- TRACKING FACILITY: Any facility that has been prioritized by its district in accordance with Health and Safety Code Section 44360(a) using procedures that have undergone public review and that are consistent with the procedures presented in the California Air Pollution Control Officers Association (CAPCOA) "Air Toxics >Hot Spots" Program Facility Prioritization Guidelines, July 1990", which has been approved by the State Board and which is incorporated by reference herein, and the greater of the facility's prioritization scores for cancer and non-cancer health effects is greater than 10.0, and meets either one of the following criteria:
 - 228.1 The facility that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and the risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of equal to or greater than 1.0 and less than ten (10) cases per million persons and a total hazard index for each toxicological endpoint both acute and chronic of less than or equal to 1.0, or

- 228.2 The facilities that has had its health risk assessment approved by the district in accordance with Health and Safety Code Section 44362 and the risk assessment results show a total hazard index for each toxicological endpoint either acute and chronic of greater than or equal to 0.1, but less than or equal to 1.0, and a total potential cancer risk, summed across all pathways of exposure and all compounds, of less than ten (10) cases per million persons.
- **TRACKING FACILITY (COMPLEX):** Any facility that meets the criteria set forth in Section 230, and has more than five processes as determined by six-digit Source Classification Codes (SCC).
- **TRACKING FACILITY (MEDIUM):** Any facility that meets the criteria set forth in Section 230, and has three to five processes as determined by six-digit SCC.
- **TRACKING FACILITY (SIMPLE):** Any facility that meets the criteria set forth in Section 230, and has one or two processes as determined by six-digit SCC.
- **UNPRIORITIZED FACILITY:** Any facility that has not been prioritized by its district in accordance with Health and Safety Code Section 44360(a) using procedures that have undergone public review.

300 STANDARDS

301 FEE SCHEDULE:

Any stationary source subject to this rule shall pay an annual toxics "Hot Spots" fee based on its facility category as set forth in Table A.

Table A					
FEE CATEGORY	DESCRIPTION	FACILITY TYPE	FEE PER FACILITY		
А	INDUSTRYWIDE FACILITY	N/A	\$90.00		
В	DISTRICT UPDATE FACILITY	N/A	\$125.00		
С	UNPRIORITIZED FACILITY	All	\$1,936.72		
		Simple	\$183.59		
		Medium	\$299.79		
D	TRACKING FACILITY	Complex	\$367.21		
		Simple	\$1,936.72		
	PRIORITIZATION SCORE GREATER THAN TEN (10.0)	Medium	\$2,172.75		
Е	FACILITY	Complex	\$2,397.88		
		Simple	\$3,677.55		
	RISK OF 10.0 TO LESS THAN	Medium	\$4,078.94		
F	50.0 PER MILLION FACILITY	Complex	\$4,243.63		
		Simple	\$5,119.39		
	RISK OF 50.0 TO LESS THAN 100.0 PER MILLION FACILITY	Medium	\$5,437.27		
G	100.0 FER MILLION I ACIEIT	Complex	\$5,879.40		
		Simple	\$6,203.84		
	RISK OF 100.0 PER MILLION	Medium	\$6,561.83		
Н	OR GREATER FACILITY	Complex	\$6,941.40		

400 ADMINISTRATIVE REQUIREMENTS

- **NOTIFICATION OF FEE DUE:** The operator of the facility for which the fee is assessed will be notified by mail of the fee due and payable and the date the fee is due. The payment due date shall be no earlier than 30 days after the date the fee notice is mailed.
- 402 FEE PENALTIES: If all fees due have not been received within 60 days after the noticed date to pay such fees, the APCO may assess a penalty of not more than 100% of the assessed fee in accordance with Section 44380 (c) of the State of California Health and Safety Code. If payment is not made within 120 days after receipt of the late payment penalty notice the District may initiate action to revoke all Permits to Operate in accordance with Health and Safety Code Section 42307. A Permit to Operate revoked for nonpayment of fees shall be reinstated only upon payment of such overdue fees and accrued penalties.